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CV

4888

**JUDGE LYNCH**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BMG MUSIC, a New York general partnership;  
 ARISTA RECORDS LLC, a Delaware limited  
 liability company; ATLANTIC RECORDING  
 CORPORATION, a Delaware corporation;  
 CAPITOL RECORDS, LLC, a Delaware limited  
 liability company; ELEKTRA  
 ENTERTAINMENT GROUP INC., a Delaware  
 corporation; INTERSCOPE RECORDS, a  
 California general partnership; LAFACE  
 RECORDS LLC, a Delaware limited liability  
 company; LAVA RECORDS LLC, a Delaware  
 limited liability company; MOTOWN RECORD  
 COMPANY, L.P., a California limited  
 partnership; SONY BMG MUSIC  
 ENTERTAINMENT, a Delaware general  
 partnership; UMG RECORDINGS, INC., a  
 Delaware corporation; VIRGIN RECORDS  
 AMERICA, INC., a California corporation;  
 WARNER BROS. RECORDS INC., a Delaware  
 corporation; and ZOMBA RECORDING LLC, a  
 Delaware limited liability company,

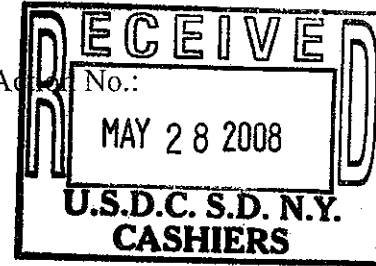
Plaintiffs,

-against-

DOES 1 - 13,

Defendants.

Civil Action No.:

**COMPLAINT FOR COPYRIGHT INFRINGEMENT**

Plaintiffs, by their attorneys, for their complaint against Defendants, allege:

**JURISDICTION AND VENUE**

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 *et seq.*).

2. This Court has jurisdiction under 17 U.S.C. § 101 *et seq.*; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).

3. Venue in this District is proper. See 28 U.S.C. §§ 1391(b), 1400(a). Although the true identity of each Defendant is unknown to Plaintiffs at this time, on information and belief, each Defendant may be found in this District and/or a substantial part of the acts of infringement complained of herein occurred in this District. On information and belief, personal jurisdiction in this District is proper because each Defendant, without consent or permission of the copyright owner, disseminated over the Internet copyrighted works owned and/or controlled by Plaintiffs. On information and belief, such illegal dissemination occurred in every jurisdiction in the United States, including this one. In addition, each Defendant contracted with an Internet Service Provider ("ISP") found in this District to provide each Defendant with the access to the Internet which facilitated Defendants' infringing activities.

#### **PARTIES**

4. Plaintiff BMG Music is a general partnership duly organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

5. Plaintiff Arista Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

6. Plaintiff Atlantic Recording Corporation is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

7. Plaintiff Capitol Records, LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

8. Plaintiff Elektra Entertainment Group Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

9. Plaintiff Interscope Records is a California general partnership, with its principal place of business in the State of California.

10. Plaintiff LaFace Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

11. Plaintiff Lava Records LLC, a limited liability company, is a joint venture between Atlantic Recording Corporation and Diamond Music LLC, and is duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

12. Plaintiff Motown Record Company, L.P. is a limited partnership duly organized and existing under the laws of the State of California, with its principal place of business in the State of California.

13. Plaintiff SONY BMG MUSIC ENTERTAINMENT is a Delaware general partnership, with its principal place of business in the State of New York.

14. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

15. Plaintiff Virgin Records America, Inc. is a corporation duly organized and existing under the laws of the State of California, with its principal place of business in the State of New York.

16. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

17. Plaintiff ZOMBA RECORDING LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

18. The true names and capacities of Defendants are unknown to Plaintiffs at this time. Each Defendant is known to Plaintiffs only by the Internet Protocol ("IP") address assigned to that Defendant by his or her ISP on the date and time of that Defendant's infringing activity. See Exhibit A. Plaintiffs believe that information obtained in discovery will lead to the identification of each Defendant's true name.

19. Although Plaintiffs do not know the true names of Defendants, each Defendant is alleged to have committed violations of the same law (e.g., copyright law), by committing the same acts (e.g., the downloading and distribution of copyrighted sound recordings owned by Plaintiffs), and by using the same means (e.g., a file-sharing network) that each Defendant accessed via the same ISP. Accordingly, Plaintiffs' right to relief arises out of the same series of transactions or occurrences, and there are questions of law or fact common to all Defendants such that joinder is warranted and appropriate here.

#### **COUNT I INFRINGEMENT OF COPYRIGHTS**

20. Plaintiffs incorporate herein by this reference each and every allegation contained in each paragraph above.

21. Plaintiffs are, and at all relevant times have been, the copyright owners or licensees of exclusive rights under United States copyright law with respect to certain

copyrighted sound recordings, including, but not limited to, all of the copyrighted sound recordings on Exhibit A to this Complaint (collectively, these copyrighted sound recordings shall be identified as the "Copyrighted Recordings"). Each of the Copyrighted Recordings is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights to each Plaintiff as specified on each page of Exhibit A.

22. Among the exclusive rights granted to each Plaintiff under the Copyright Act are the exclusive rights to reproduce the Copyrighted Recordings and to distribute the Copyrighted Recordings to the public.

23. Plaintiffs are informed and believe that each Defendant, without the permission or consent of Plaintiffs, has continuously used, and continues to use, an online media distribution system to download and/or distribute to the public certain of the Copyrighted Recordings. Exhibit A identifies on a Defendant-by-Defendant basis (one Defendant per page) the IP address with the date and time of capture and a list of copyrighted recordings that each Defendant has, without the permission or consent of Plaintiffs, downloaded and/or distributed to the public. Through his or her continuous and ongoing acts of downloading and/or distributing to the public the Copyrighted Recordings, each Defendant has violated Plaintiffs' exclusive rights of reproduction and distribution. Each Defendant's actions constitute infringement of Plaintiffs' copyrights and/or exclusive rights under copyright. (In addition to the sound recordings listed for each Defendant on Exhibit A, Plaintiffs are informed and believe that each Defendant has, without the permission or consent of Plaintiffs, continuously downloaded and/or distributed to the public additional sound recordings owned by or exclusively licensed to Plaintiffs or Plaintiffs' affiliate record labels, and Plaintiffs believe that such acts of infringement are

ongoing. Exhibit A includes the currently-known total number of audio files being distributed by each Defendant.)

24. Plaintiffs have placed proper notices of copyright pursuant to 17 U.S.C. § 401 on each respective album cover of each of the sound recordings identified in Exhibit A. These notices of copyright appeared on published copies of each of the sound recordings identified in Exhibit A. These published copies were widely available, and each of the published copies of the sound recordings identified in Exhibit A was accessible by each Defendant.

25. Plaintiffs are informed and believe that the foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiffs.

26. As a result of each Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to statutory damages pursuant to 17 U.S.C. § 504(c) against each Defendant for each infringement by that Defendant of each copyrighted recording. Plaintiffs further are entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

27. The conduct of each Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiffs are entitled to injunctive relief prohibiting each Defendant from further infringing Plaintiffs' copyrights, and ordering that each Defendant destroy all copies of copyrighted sound recordings made in violation of Plaintiffs' exclusive rights.

WHEREFORE, Plaintiffs pray for judgment against each Defendant as follows:

1. For an injunction providing:

"Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in

the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings or to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control."

2. For statutory damages for each infringement of each Copyrighted Recording pursuant to 17 U.S.C. § 504.

3. For Plaintiffs' costs in this action.

4. For Plaintiffs' reasonable attorneys' fees incurred herein.

5. For such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
May 28, 2008

By: 

Brian E. Moran (BM-8573)  
Victor B. Kao (VK-6967)  
Robinson & Cole LLP  
885 Third Avenue, Suite 2800  
New York, NY 10022-4834  
Telephone: (212) 451-2900  
Fax: (212) 451-2999

# **Exhibit A**



**EXHIBIT A DOE LIST**

<b>Doe # 1</b>	<b>IP Address: 160.39.111.182 2008-02-08 22:33:04 EST</b> <b>Case ID: 158509561</b>
<b>Doe # 2</b>	<b>IP Address: 160.39.115.9 2008-02-19 11:31:13 EST</b> <b>Case ID: 159734424</b>
<b>Doe # 3</b>	<b>IP Address: 160.39.137.81 2008-02-23 22:39:06 EST</b> <b>Case ID: 160230755</b>
<b>Doe # 4</b>	<b>IP Address: 160.39.138.154 2008-03-17 03:25:57 EDT</b> <b>Case ID: 162856713</b>
<b>Doe # 5</b>	<b>IP Address: 160.39.139.192 2008-03-14 08:38:45 EDT</b> <b>Case ID: 162506709</b>
<b>Doe # 6</b>	<b>IP Address: 160.39.176.156 2008-03-14 22:00:09 EDT</b> <b>Case ID: 162579725</b>
<b>Doe # 7</b>	<b>IP Address: 160.39.180.169 2008-02-08 00:44:29 EST</b> <b>Case ID: 158423778</b>
<b>Doe # 8</b>	<b>IP Address: 160.39.225.250 2008-03-09 12:15:59 EDT</b> <b>Case ID: 161899128</b>
<b>Doe # 9</b>	<b>IP Address: 160.39.242.59 2008-03-25 02:18:08 EDT</b> <b>Case ID: 163823385</b>
<b>Doe # 10</b>	<b>IP Address: 160.39.250.113 2008-03-25 15:47:39 EDT</b> <b>Case ID: 163890650</b>
<b>Doe # 11</b>	<b>IP Address: 160.39.250.81 2008-03-12 17:36:10 EDT</b> <b>Case ID: 162292025</b>
<b>Doe # 12</b>	<b>IP Address: 160.39.58.236 2008-03-14 21:14:03 EDT</b> <b>Case ID: 162576391</b>
<b>Doe # 13</b>	<b>IP Address: 209.2.48.159 2008-03-05 14:33:17 EST</b> <b>Case ID: 161473527</b>

AO 121 (6/90)

<b>TO:</b>  Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	<b>REPORT ON THE          FILING OR DETERMINATION OF AN          ACTION OR APPEAL          REGARDING A COPYRIGHT</b>
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In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION      ~ APPEAL		COURT NAME AND LOCATION United States District Court Southern District of New York 500 Pearl Street New York, NY 10007-1312
DOCKET NO.	DATE FILED	
PLAINTIFF BMG MUSIC; ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; CAPITOL RECORDS, LLC; ELEKTRA ENTERTAINMENT GROUP INC.; INTERSCOPE RECORDS; LAFACE RECORDS LLC; LAVA RECORDS LLC; MOTOWN RECORD COMPANY, L.P.; SONY BMG MUSIC ENTERTAINMENT; UMG RECORDINGS, INC.; VIRGIN RECORDS AMERICA, INC.; WARNER BROS. RECORDS INC.; and ZOMBA RECORDING LLC		DEFENDANT  DOES 1 - 13
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK
1	See Exhibit A, attached.	
2		
3		
4		
5		

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY			
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
COPYRIGHT REGISTRATION NO.	TITLE OF WORK		AUTHOR OF WORK	
1				
2				
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In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached:

COPY ATTACHED <input type="checkbox"/> Order <input type="checkbox"/> Judgment		WRITTEN OPINION ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE RENDERED
CLERK	(BY) DEPUTY CLERK		DATE

\*U.S.G.P.O. 1982-374-279

Copy 1 – Upon initiation of action, mail this copy to Register of Copyrights.

**EXHIBIT A****IP Address:** 160.39.111.182 2008-02-08 22:33:04 EST**CASE ID#** 158509561**P2P Network:** GnutellaUS**Total Audio Files:** 963

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Luther Vandross	Love Won't Let Me Wait	Any Love	99-406
Elektra Entertainment Group Inc.	Missy Elliott	Get Your Freak On	Miss E...So Addictive	297-686
Lava Records LLC	Simple Plan	Addicted	No Pads, No Helmets...Just Balls	351-060
Motown Record Company, L.P.	Commodores	Still	Midnight Magic	10-629
Virgin Records America, Inc.	D'Angelo	Untitled (How Does It Feel)	Voodoo	280-480
Arista Records LLC	Whitney Houston	All at Once	Whitney Houston	60-716
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Forever	Daydream	215-243
Capitol Records, Inc.	Coldplay	Don't Panic	Parachutes	328-762
UMG Recordings, Inc.	Mariah Carey	Through the Rain	Through the Rain (single)	321-443
Elektra Entertainment Group Inc.	Keith Sweat	Nobody	Keith Sweat	226-496

**EXHIBIT A****IP Address:** 160.39.115.9 2008-02-19 11:31:13 EST**CASE ID#** 159734424**P2P Network:** GnutellaUS**Total Audio Files:** 599

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Keith Sweat	Twisted	Keith Sweat	226-496
Elektra Entertainment Group Inc.	Bjork	Aurora	Vespertine	313-809
Elektra Entertainment Group Inc.	Bjork	All is Full of Love	Homogenic	245-199
Motown Record Company, L.P.	Boyz II Men	Water Runs Dry	II	196-004
UMG Recordings, Inc.	Avant	My First Love	My Thoughts	281-220
UMG Recordings, Inc.	Mary J. Blige	Everything	Share My World	238-818
Arista Records LLC	Whitney Houston	Why Does It Hurt So Bad	Waiting to Exhale Soundtrack	219-539
Warner Bros. Records Inc.	Madonna	Material Girl	Like a Virgin	59-442
BMG Music	Alicia Keys	Diary	The Diary of Alicia Keys	346-869
Arista Records LLC	Air Supply	All Out Of Love	Lost In Love	38-070

**EXHIBIT A****IP Address:** 160.39.137.81 2008-02-23 22:39:06 EST**CASE ID#** 160230755**P2P Network:** GnutellaUS**Total Audio Files:** 593

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Ryan Cabrera	Take It All Away	Take It All Away	369-515
Interscope Records	Enrique Iglesias	Be With You	Enrique	214-257
Capitol Records, Inc.	Billy Idol	White Wedding	Billy Idol	39-673
Capitol Records, Inc.	Kylie Minogue	Love at First Sight	Fever	322-960
Warner Bros. Records Inc.	Green Day	Wake Me Up When September Ends	American Idiot	362-125
Interscope Records	Enrique Iglesias	Bailamos	Wild Wild West Soundtrack	265-773
Elektra Entertainment Group Inc.	The Cure	Six Different Ways	The Head On The Door	65-872
UMG Recordings, Inc.	Weezer	Island in the Sun	Weezer (Green Album)	297-030
Interscope Records	Enrique Iglesias	Hero	Escape	303-794
UMG Recordings, Inc.	Weezer	El Scorcho	Pinkerton	226-562

AO 121 (6/90)

<b>TO:</b>  Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	<b>REPORT ON THE          FILING OR DETERMINATION OF AN          ACTION OR APPEAL          REGARDING A COPYRIGHT</b>
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CLERK	(BY) DEPUTY CLERK	DATE

\*U.S.G.P.O. 1982-374-279

Copy 2 – Upon filing of document adding copyright(s), mail this copy to Register of Copyrights.

**EXHIBIT A****IP Address:** 160.39.138.154 2008-03-17 03:25:57 EDT**CASE ID#** 162856713**P2P Network:** GnutellaUS**Total Audio Files:** 1566

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	The Power of Love	The Colour of My Love	191-558
UMG Recordings, Inc.	50 Cent	In da Club	In Da Club (single)	323-562
Zomba Recording LLC	Ciara	Oh	Goodies	355-316
Warner Bros. Records Inc.	Michael Buble	Save the Last Dance For Me	It's Time	370-205
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	Because You Loved Me	Falling Into You	224-159
Capitol Records, Inc.	Dirty Vegas	Days Go By	Dirty Vegas	321-027
UMG Recordings, Inc.	Montell Jordan	Get It On Tonite	Get It On Tonite (single)	272-061
Interscope Records	Enrique Iglesias	Hero	Escape	303-794

**EXHIBIT A****IP Address:** 160.39.139.192 2008-03-14 08:38:45 EDT**CASE ID#** 162506709**P2P Network:** GnutellaUS**Total Audio Files:** 315

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Virgin Records America, Inc.	30 Seconds To Mars	The Kill	A Beautiful Lie	377-457
SONY BMG MUSIC ENTERTAINMENT	Heart	Break	Bebe Le Strange	17-640
Warner Bros. Records Inc.	Disturbed	Liberate	Believe	316-958
UMG Recordings, Inc.	The All-American Rejects	It Ends Tonight	Move Along	374-412
UMG Recordings, Inc.	Sting	Desert Rose	Brand New Day	271-015
Zomba Recording LLC	Three Days Grace	I Hate Everything About You	Three Days Grace	338-429
BMG Music	Alicia Keys	Diary	The Diary of Alicia Keys	346-869
UMG Recordings, Inc.	Rise Against	Tip The Scales	Siren Song Of The Counter Culture	355-243
Interscope Records	Puddle of Mudd	Blurry	Come Clean	301-465
Warner Bros. Records Inc.	Avenged Sevenfold	Seize The Day	City Of Evil	374-368



**EXHIBIT A****IP Address:** 160.39.176.156 2008-03-14 22:00:09 EDT**CASE ID#** 162579725**P2P Network:** GnutellaUS**Total Audio Files:** 486

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Oasis	The Importance Of Being Idle	Don't Believe The Truth	377-549
UMG Recordings, Inc.	Nelly	Batter Up	Country Grammar	281-782
SONY BMG MUSIC ENTERTAINMENT	Oasis	Don't Look Back In Anger	(What's The Story) Morning Glory	289-141
UMG Recordings, Inc.	Ludacris	Roll Out	Roll Out (single)	303-066
Capitol Records, Inc.	Coldplay	Trouble	Parachutes	328-762
LaFace Records LLC	Usher	How Do I Say	8701	307-207
Warner Bros. Records Inc.	Michael Buble	Home	Home (single)	370-204
Elektra Entertainment Group Inc.	Eagles	Life in the Fast Lane	Hotel California	N38950
Warner Bros. Records Inc.	Fleetwood Mac	Tusk	Tusk (single)	12-408

AO 121 (6/90)

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CLERK	(BY) DEPUTY CLERK	DATE

\*U.S.G.P.O. 1982-374-279

Copy 3 – Upon termination of action, mail this copy to Register of Copyrights.

**EXHIBIT A****IP Address:** 160.39.180.169 2008-02-08 00:44:29 EST**CASE ID#** 158423778**P2P Network:** GnutellaUS**Total Audio Files:** 227

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	My Heart Will Go On	Let's Talk About Love	248-109
UMG Recordings, Inc.	The Pussycat Dolls	Stickwitu	PCD	377-102
BMG Music	SWV	I'm So Into You	It's About Time	146-905
UMG Recordings, Inc.	Mary J. Blige	Real Love	What's The 411?	149-212
SONY BMG MUSIC ENTERTAINMENT	Michael Jackson	Rock With You	Off The Wall	11-120
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Emotions	Emotions	134-831
Warner Bros. Records Inc.	Madonna	Cherish	Like A Prayer	106-808
SONY BMG MUSIC ENTERTAINMENT	Destiny's Child	Say My Name	The Writing's on the Wall	268-936
Interscope Records	Dr. Dre	Forgot About Dre	2001	277-983
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	All By Myself	Falling Into You	224-159

**EXHIBIT A**

**IP Address:** 160.39.225.250 2008-03-09 12:15:59 EDT

**CASE ID#** 161899128

**P2P Network:** BitTorrentUS

**Total Audio Files:** 19

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Barenaked Ladies	The Old Apartment	Born on a Pirate Ship	261-190
Warner Bros. Records Inc.	Barenaked Ladies	Falling For The First Time	Maroon	288-335
Warner Bros. Records Inc.	Barenaked Ladies	One Week	Stunt	257-724
Warner Bros. Records Inc.	Barenaked Ladies	Be My Yoko Ono	Gordon	146-343
Warner Bros. Records Inc.	Barenaked Ladies	A	Maybe You Should Drive	196-455

**EXHIBIT A**

**IP Address:** 160.39.242.59 2008-03-25 02:18:08 EDT

**CASE ID#** 163823385

**P2P Network:** GnutellaUS

**Total Audio Files:** 860

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Zomba Recording LLC	Justin Timberlake	Like I Love You	Like I Love You (single)	321-888
BMG Music	Jamie Foxx	Warm Bed	Unpredictable	374-820
UMG Recordings, Inc.	Dru Hill	How Deep Is Your Love	Enter the Dru	290-402
SONY BMG MUSIC ENTERTAINMENT	Dixie Chicks	Cowboy Take Me Away	Fly	275-086

AO 121 (6/90)

<b>TO:</b>  <b>Register of Copyrights</b> <b>Copyright Office</b> <b>Library of Congress</b> <b>Washington, D.C. 20559</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION OR APPEAL</b> <b>REGARDING A COPYRIGHT</b>
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In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION      ~ APPEAL		COURT NAME AND LOCATION United States District Court Southern District of New York 500 Pearl Street New York, NY 10007-1312
DOCKET NO.	DATE FILED	
PLAINTIFF BMG MUSIC; ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; CAPITOL RECORDS, LLC; ELEKTRA ENTERTAINMENT GROUP INC.; INTERSCOPE RECORDS; LAFACE RECORDS LLC; LAVA RECORDS LLC; MOTOWN RECORD COMPANY, L.P.; SONY BMG MUSIC ENTERTAINMENT; UMG RECORDINGS, INC.; VIRGIN RECORDS AMERICA, INC.; WARNER BROS. RECORDS INC.; and ZOMBA RECORDING LLC		DEFENDANT DOES 1 - 13
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK
1	See Exhibit A, attached.	
2		
3		
4		
5		

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK	
1			
2			
3			

In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached:

COPY ATTACHED <input type="checkbox"/> Order <input type="checkbox"/> Judgment	WRITTEN OPINION ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE RENDERED
CLERK	(BY) DEPUTY CLERK	DATE

\*U.S.G.P.O. 1982-374-279

Copy 4 – In the event of an appeal, forward this copy to the Appellate Court so they can prepare a new AO 279 for the appeal.

**EXHIBIT A****IP Address:** 160.39.250.113 2008-03-25 15:47:39 EDT**CASE ID#** 163890650**P2P Network:** GnutellaUS**Total Audio Files:** 588

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Shakira	La Pared	Fijacion Oral Vol. 1	372-418
Warner Bros. Records Inc.	Madonna	Like a Prayer	Like A Prayer (single)	SRu 148- 149
Capitol Records, Inc.	Coldplay	In My Place	A Rush of Blood to the Head	322-958
UMG Recordings, Inc.	Black Eyed Peas	My Humps	Monkey Business	378-166
Capitol Records, Inc.	Coldplay	Yellow	Parachutes	328-762
Arista Records LLC	Air Supply	Lost in Love	Lost In Love	38-070
UMG Recordings, Inc.	U2	With or Without You	The Joshua Tree	78-949
Warner Bros. Records Inc.	Fleetwood Mac	You Make Loving Fun	Rumours	N39857
Capitol Records, Inc.	Bonnie Raitt	You	Longing In Their Hearts	221-613
Capitol Records, Inc.	Radiohead	Creep	Pablo Honey	190-976

**EXHIBIT A**

**IP Address:** 160.39.250.81 2008-03-12 17:36:10 EDT

**CASE ID#** 162292025

**P2P Network:** BitTorrentUS

**Total Audio Files:** 19

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Barenaked Ladies	The Old Apartment	Born on a Pirate Ship	261-190
Warner Bros. Records Inc.	Barenaked Ladies	Falling For The First Time	Maroon	288-335
Warner Bros. Records Inc.	Barenaked Ladies	One Week	Stunt	257-724
Warner Bros. Records Inc.	Barenaked Ladies	Be My Yoko Ono	Gordon	146-343
Warner Bros. Records Inc.	Barenaked Ladies	A	Maybe You Should Drive	196-455



**EXHIBIT A****IP Address:** 160.39.58.236 2008-03-14 21:14:03 EDT**CASE ID#** 162576391**P2P Network:** GnutellaUS**Total Audio Files:** 263

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Zomba Recording LLC	A Tribe Called Quest	Oh My God	Midnight Marauders	185-359
UMG Recordings, Inc.	Mariah Carey	We Belong Together	The Emancipation of Mimi	370-795
Atlantic Recording Corporation	Brandy	Afrodisiac	Afrodisiac	370-673
UMG Recordings, Inc.	Akon	Ghetto	Trouble	361-456
SONY BMG MUSIC ENTERTAINMENT	Michael Jackson	You Rock My World	Invincible	304-780
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	I Drove All Night	One Heart	331-435
SONY BMG MUSIC ENTERTAINMENT	Train	Train	Train	298-334
UMG Recordings, Inc.	Mary J. Blige	Be Without You	The Breakthrough	384-873
BMG Music	Angie Stone	Easier Said Than Done	Mahogany Soul	303-830
UMG Recordings, Inc.	Mariah Carey	Through the Rain	Through the Rain (single)	321-443

AO 121 (6/90)

<b>TO:</b>  Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	<b>REPORT ON THE          FILING OR DETERMINATION OF AN          ACTION OR APPEAL          REGARDING A COPYRIGHT</b>
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COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK
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In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY			
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
COPYRIGHT REGISTRATION NO.	TITLE OF WORK		AUTHOR OF WORK	
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2				
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In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached:

COPY ATTACHED <input type="checkbox"/> Order <input type="checkbox"/> Judgment	WRITTEN OPINION ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE RENDERED
CLERK	(BY) DEPUTY CLERK	DATE

\*U.S.G.P.O. 1982-374-279

Copy 5 – Case file copy.

**EXHIBIT A****IP Address:** 209.2.48.159 2008-03-05 14:33:17 EST**CASE ID#** 161473527**P2P Network:** GnutellaUS**Total Audio Files:** 1052

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Chevelle	One Lonely Visitor	Wonder What's Next	324-184
Interscope Records	Eminem	Drug Ballad	The Marshall Mathers LP	287-944
SONY BMG MUSIC ENTERTAINMENT	Lauryn Hill	Can't Take My Eyes Off of You	The Miseducation of Lauryn Hill	254-183
Elektra Entertainment Group Inc.	MC Lyte	Ruffneck	Ain't No Other	168-042
Interscope Records	Truth Hurts	Addictive	Truthfully Speaking	317-059